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Such being the law, was the present ordinance a reasonable one in its essential feature, that of prohibiting within the city any hospital for the treatment of contagious or infectious diseases? Such prohibition is very different from regulation, and can be justified only on the ground that such a hospital, no matter how well conducted, is a menace to the public peace, morals, health, or comfort. That a well-conducted, modern hospital, even one for the treatment of contagious and infectious diseases is not such a menace, but, on the contrary, one of the most beneficent of institutions, needs no argument. There is not the slightest danger of the spread of disease from it, and this is the only possible ground on which objection could be made to it. We have no hesitation in holding an ordinance prohibiting the maintenance anywhere within a city of an institution so necessary in our modern life and so beneficent, to be wholly unreasonable and invalid. \* \* \*

It is evident in the present case that the enforcement of the ordinance would cause substantial and irreparable injury to the plaintiff's property, and that against the threat of its enforcement by the repeated prosecutions which the ordinance permits, the plaintiff has no adequate remedy. The case, therefore, comes within the rule stated in *Abbey Land Co. v. San Mateo*, and upon the facts alleged in the complaint the plaintiff was entitled to have the enforcement of the ordinance enjoined.

### DEATHS DURING WEEK ENDED OCT. 8, 1921.

*Summary of information received by telegraph from industrial insurance companies for week ended Oct. 8, 1921, and corresponding week, 1920. (From the Weekly Health Index, Oct. 11, 1921, issued by the Bureau of the Census, Department of Commerce.)*

	Week ended Oct. 8, 1921.	Corresponding week, 1920.
Policies in force.....	47, 794, 871	44, 692, 241
Number of death claims.....	7, 305	6, 988
Death claims per 1,000 policies in force.....	8.0	8.2

*Deaths from all causes in certain large cities of the United States during the week ended Oct. 8, 1921, infant mortality, annual death rate, and comparison with corresponding week of preceding years. (From the Weekly Health Index, Oct. 11, 1921, issued by the Bureau of the Census, Department of Commerce.)*

City.	Estimated population, July 1, 1921.	Week ended Oct. 8, 1921.		Average annual death rate per 1,000. <sup>1</sup>	Deaths under 1 year.		Infant mortality rate, week ended Oct. 8, 1921. <sup>3</sup>
		Total deaths.	Death rate. <sup>1</sup>		Week ended Oct. 8, 1921.	Previous year or years. <sup>2</sup>	
Akron, Ohio.....	229,195	33	7.5	46.8	7	3	67
Albany, N. Y.....	115,071	36	16.3	C 19.2	3	C 4	67
Atlanta, Ga.....	207,473	72	18.1	C 17.2	5	C 12	.....
Baltimore, Md.....	752,263	198	13.7	A 15.0	36	A 39	101
Birmingham, Ala.....	186,133	45	12.6	A 13.2	8	A 5	.....
Boston, Mass.....	757,634	170	11.7	A 15.2	25	A 44	67
Bridgeport, Conn.....	149,967	24	8.3	A 13.0	7	A 7	88
Buffalo, N. Y.....	519,608	101	10.1	C 10.9	30	C 22	116
Cambridge, Mass.....	110,444	12	5.7	A 13.1	0	A 6	0
Camden, N. J.....	119,672	20	8.7	.....	6	.....	90
Chicago, Ill.....	2,780,655	504	9.5	A 12.5	94	A 119	.....
Cincinnati, Ohio.....	403,418	92	11.9	C 11.2	10	C 8	66
Cleveland, Ohio.....	531,138	131	8.2	C 10.3	28	C 37	75
Columbus, Ohio.....	245,358	61	13.0	C 13.7	7	C 9	81
Dallas, Tex.....	165,282	26	8.2	A 9.4	1	A 2	.....
Dayton, Ohio.....	158,119	36	11.9	C 10.8	4	C 9	66
Denver, Colo.....	263,152	66	13.1	A 11.5	7	.....	.....
Detroit, Mich.....	1,070,450	185	9.1	C 9.3	37	C 41	70
Fall River, Mass.....	120,668	35	15.1	C 20.8	12	C 11	180
Grand Rapids, Mich.....	141,497	21	7.8	C 11.6	7	C 9	118
Houston, Tex.....	144,040	39	14.1	.....	5	.....	.....
Indianapolis, Ind.....	325,215	87	13.9	C 13.6	11	C 8	85
Jersey City, N. J.....	302,788	74	12.7	C 12.0	16	C 16	110
Kansas City, Kans.....	103,884	29	14.6	C 13.3	4	C 8	95
Kansas City, Mo.....	336,157	78	12.1	C 10.0	6	C 22	.....
Los Angeles, Calif.....	611,921	151	12.8	A 11.9	16	A 9	76
Louisville, Ky.....	236,083	58	12.8	C 11.1	7	C 9	81
Lowell, Mass.....	113,757	23	10.5	A 16.2	6	A 13	97
Memphis, Tenn.....	165,389	47	14.8	C 17.2	5	C 5	.....
Milwaukee, Wis.....	468,386	83	9.2	A 11.0	17	A 18	82
Minneapolis, Minn.....	352,815	94	12.5	C 10.6	9	C 12	51
Nashville, Tenn.....	122,036	41	17.5	C 12.7	6	C 5	.....
New Bedford, Mass.....	125,612	20	8.3	A 15.2	5	A 14	77
New Haven, Conn.....	167,007	37	11.6	C 9.5	3	C 3	36
New Orleans, La.....	394,657	103	13.6	A 17.0	9	A 14	.....
New York, N. Y.....	5,751,867	696	9.9	C 9.7	159	C 169	62
Newark, N. J.....	421,885	83	10.2	C 9.4	11	C 13	49
Norfolk, Va.....	121,260	24	10.3	.....	2	.....	35
Oakland, Calif.....	226,472	48	11.1	A 12.1	5	A 5	63
Omaha, Nebr.....	137,066	50	13.2	.....	7	.....	81
Paterson, N. J.....	137,463	24	9.1	.....	4	.....	68
Philadelphia, Pa.....	1,866,212	399	11.1	C 12.7	62	C 476	75
Pittsburgh, Pa.....	602,452	126	10.9	C 12.3	26	C 33	92
Portland, Oreg.....	264,859	49	9.6	C 10.0	4	C 4	40
Providence, R. I.....	239,645	54	11.8	C 12.3	7	C 8	57
Richmond, Va.....	175,686	55	16.3	C 15.1	8	C 16	97
Rochester, N. Y.....	305,229	56	9.6	C 8.7	10	C 5	78
St. Louis, Mo.....	786,164	158	10.5	C 10.0	9	C 22	.....
St. Paul, Minn.....	237,781	42	9.2	C 8.6	3	C 6	30
Salt Lake City, Utah.....	121,595	26	11.1	A 9.4	3	.....	46
San Francisco, Calif.....	520,546	120	12.0	C 10.6	7	C 11	41
Seattle, Wash.....	327,227	41	6.5	A 8.6	4	A 5	33
Spokane, Wash.....	104,442	25	12.5	C 8.5	2	C 0	44
Springfield, Mass.....	135,877	35	13.4	C 13.9	5	C 7	75
Syracuse, N. Y.....	177,265	32	9.4	C 12.9	6	C 5	72
Toledo, Ohio.....	253,696	59	12.1	A 16.3	10	A 11	101
Trenton, N. J.....	122,760	29	12.3	A 16.8	6	A 8	91
Washington, D. C.....	454,026	94	10.8	A 14.1	12	A 14	70
Wilmington, Del.....	113,408	20	9.2	C 11.7	4	.....	.....
Worcester, Mass.....	184,972	39	11.0	C 13.2	8	C 22	68
Yonkers, N. Y.....	103,324	15	7.6	A 12.1	3	A 6	86

<sup>1</sup> Annual rate per 1,000 population.

<sup>2</sup> "A" indicates data for the corresponding week of the years 1913 to 1917, inclusive. "C" indicates data for the corresponding week of the year 1920.

<sup>3</sup> Deaths under 1 year per 1,000 births—an annual rate based on deaths under 1 year for the week and estimated births for 1920. Cities left blank are not in the registration area for births.

<sup>4</sup> Data based on statistics of 1915, 1916, and 1917.